

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

ARTHUR STEPHEN BARFIELD,	:	
	:	
Plaintiff	:	
	:	
VS.	:	NO. 1:05-CV-84(WLS)
	:	
Sheriff JAMIL SABA, <i>et al.</i> ,	:	PROCEEDINGS UNDER 42 U.S.C. § 1983
	:	<u>BEFORE THE U.S. MAGISTRATE JUDGE</u>
Defendants	:	
_____	:	

**ORDER**

Defendant herein has filed a motion seeking dismissal of the above-styled action. The plaintiff is advised of his opportunity to respond to the Defendants' motion to dismiss pursuant to the dictates of the following notice:

Since plaintiff is proceeding *pro se*, the court deems it appropriate and necessary to advise him of his right to respond to said motion and of the consequences which he may suffer if he fails to file a response thereto.

Plaintiff is advised that:

- (1) a MOTION TO DISMISS has been filed herein by all named Defendants;
- (2) plaintiff has the right to oppose the granting of said motion; and
- (3) if plaintiff fails to oppose said motion, his complaint may be dismissed.

Plaintiff is further advised that under the procedures and policies of this court, motions to dismiss are normally decided on briefs. The court considers the pleadings and briefs filed by the parties in deciding whether dismissal is appropriate under the law.

**FAILURE OF THE PLAINTIFF HEREIN TO RESPOND TO THE MOTIONS TO DISMISS MAY RESULT IN THE GRANTING OF SAID MOTION. There would be no**

trial or further proceedings herein.

Accordingly, the plaintiff may file a response to said motion to dismiss **WITHIN THIRTY(30) DAYS OF RECEIPT OF THIS ORDER.** Thereafter, the court will consider the motion and any opposition to same filed by the plaintiff.

**SO NOTICED**, this 7<sup>th</sup> day of June 2006.

/s/ **Richard L. Hodge**  
RICHARD L. HODGE  
UNITED STATES MAGISTRATE JUDGE